



## 93RD GENERAL ASSEMBLY

### State of Illinois

#### 2003 and 2004

##### SB2343

Introduced 1/28/2004, by Sen. Frank C. Watson

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/15-111	from Ch. 95 1/2, par. 15-111
625 ILCS 5/15-201	from Ch. 95 1/2, par. 15-201
625 ILCS 5/15-202	from Ch. 95 1/2, par. 15-202
625 ILCS 5/15-202.1 new	

Amends the Illinois Vehicle Code. Provides that a vehicle transporting agricultural cash crops or loads of fruits or vegetables on an interstate, designated, or non-designated highway, during the harvest season only, is in compliance with weight restrictions if its gross weight is less than 80,000 pounds and exceeds the permitted gross weight by not more than 10% and the vehicle is traveling from the field to the first point of processing. Provides that the operator of the vehicle must abide by posted bridge weight limits. Provides that the State Police are prohibited from routinely stopping and weighing vehicles transporting a particular commodity or vehicles in a particular geographic location. Provides that the Department of State Police shall provide training and continuing education to State Police officers concerning the prohibition. Provides that, beginning January 1, 2005 and through December 31, 2005, a State Police officer issuing a citation for an alleged violation of the maximum weight limits of the Code must record the make and year of the vehicle stopped, the date and time of the stop, the county and location of the stop, the type of commodity being transported, the weight of the vehicle, and the amount, if any, by which the weight of the vehicle exceeds the permitted weight. Provides that the Department of State Police shall, by February 1, 2006, compile the required data. Provides that the Department of State Police, in cooperation with the Illinois Department of Agriculture, shall, by March 15, 2006, analyze the data and submit a report of the findings to the General Assembly. Effective immediately.

LRB093 20251 DRH 46017 b

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning vehicles.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing  
5 Sections 15-111, 15-201, and 15-202 and by adding Section  
6 15-202.1 as follows: as follows:

7 (625 ILCS 5/15-111) (from Ch. 95 1/2, par. 15-111)

8 Sec. 15-111. Wheel and axle loads and gross weights.

9 (a) On non-designated highways, no vehicle or combination  
10 of vehicles equipped with pneumatic tires may be operated,  
11 unladen or with load, when the total weight transmitted to the  
12 road surface exceeds 18,000 pounds on a single axle or 32,000  
13 pounds on a tandem axle with no axle within the tandem  
14 exceeding 18,000 pounds except:

15 (1) when a different limit is established and posted in  
16 accordance with Section 15-316 of this Code;

17 (2) vehicles for which the Department of  
18 Transportation and local authorities issue overweight  
19 permits under authority of Section 15-301 of this Code;

20 (3) tow trucks subject to the conditions provided in  
21 subsection (d) may not exceed 24,000 pounds on a single  
22 rear axle or 44,000 pounds on a tandem rear axle;

23 (4) any single axle of a 2-axle truck weighing 36,000  
24 pounds or less and not a part of a combination of vehicles,  
25 shall not exceed 20,000 pounds;

26 (5) any single axle of a 2-axle truck equipped with a  
27 personnel lift or digger derrick, weighing 36,000 pounds or  
28 less, owned and operated by a public utility, shall not  
29 exceed 20,000 pounds;

30 (6) any single axle of a 2-axle truck specially  
31 equipped with a front loading compactor used exclusively  
32 for garbage, refuse, or recycling may not exceed 20,000

1 pounds per axle, provided that the gross weight of the  
2 vehicle does not exceed 40,000 pounds;

3 (7) a truck, not in combination and specially equipped  
4 with a selfcompactor or an industrial roll-off hoist and  
5 roll-off container, used exclusively for garbage or refuse  
6 operations may, when laden, transmit upon the road surface  
7 the following maximum weights: 22,000 pounds on a single  
8 axle; 40,000 pounds on a tandem axle;

9 (8) a truck, not in combination and used exclusively  
10 for the collection of rendering materials, may, when laden,  
11 transmit upon the road surface the following maximum  
12 weights: 22,000 pounds on a single axle; 40,000 pounds on a  
13 tandem axle;

14 (9) tandem axles on a 3-axle truck registered as a  
15 Special Hauling Vehicle, manufactured prior to or in the  
16 model year of 2014 and first registered in Illinois prior  
17 to January 1, 2015, with a distance greater than 72 inches  
18 but not more than 96 inches between any series of 2 axles,  
19 is allowed a combined weight on the series not to exceed  
20 36,000 pounds and neither axle of the series may exceed  
21 18,000 pounds. Any vehicle of this type manufactured after  
22 the model year of 2014 or first registered in Illinois  
23 after December 31, 2014 may not exceed a combined weight of  
24 32,000 pounds through the series of 2 axles and neither  
25 axle of the series may exceed 18,000 pounds;

26 (10) tandem axles on a 4-axle truck mixer, whose fourth  
27 axle is a road surface engaging mixer trailing axle,  
28 registered as a Special Hauling Vehicle, used exclusively  
29 for the mixing and transportation of concrete and  
30 manufactured prior to or in the model year of 2014 and  
31 first registered in Illinois prior to January 1, 2015, with  
32 a distance greater than 72 inches but not more than 96  
33 inches between any series of 2 axles, is allowed a combined  
34 weight on the series not to exceed 36,000 pounds and  
35 neither axle of the series may exceed 18,000 pounds. Any  
36 vehicle of this type manufactured after the model year of



	between	Weight	between	Weight
	extreme axles	(pounds)	extreme axles	(pounds)
1	10 feet	41,000	16 feet	46,000
2	11	42,000	17	47,000
3	12	43,000	18	47,500
4	13	44,000	19	48,000
5	14	44,500	20	49,000
6	15	45,000	21 feet or more	50,000

VEHICLES OR COMBINATIONS HAVING 4 AXLES

	Minimum	Maximum	Minimum	Maximum
	distance to	Gross	distance to	Gross
	nearest foot	Weight	nearest foot	Weight
	between	(pounds)	between	(pounds)
	extreme axles		extreme axles	
10	15 feet	50,000	26 feet	57,500
11	16	50,500	27	58,000
12	17	51,500	28	58,500
13	18	52,000	29	59,500
14	19	52,500	30	60,000
15	20	53,500	31	60,500
16	21	54,000	32	61,500
17	22	54,500	33	62,000
18	23	55,500	34	62,500
19	24	56,000	35	63,500
20	25	56,500	36 feet or more	64,000

A vehicle not in a combination having more than 4 axles may not exceed the weight in the table in this subsection (b) for 4 axles measured between the extreme axles of the vehicle.

COMBINATIONS HAVING 5 OR MORE AXLES

	Minimum distance to	Maximum
	nearest foot between	Gross Weight
	extreme axles	(pounds)
30	42 feet or less	72,000
31	43	73,000
32	44 feet or more	73,280

1 VEHICLES OPERATING ON CRAWLER TYPE TRACKS ..... 40,000 pounds

2 TRUCKS EQUIPPED WITH SELFCOMPACTORS  
3 OR ROLL-OFF HOISTS AND ROLL-OFF CONTAINERS FOR GARBAGE  
4 OR REFUSE HAULS ONLY AND TRUCKS USED FOR  
5 THE COLLECTION OF RENDERING MATERIALS  
6 On Highway Not Part of National System  
7 of Interstate and Defense Highways  
8 with 2 axles 36,000 pounds  
9 with 3 axles 54,000 pounds

10 TWO AXLE TRUCKS EQUIPPED WITH  
11 A FRONT LOADING COMPACTOR USED EXCLUSIVELY  
12 FOR THE COLLECTION OF GARBAGE, REFUSE, OR RECYCLING  
13 with 2 axles 40,000 pounds

14 (b-1) A vehicle transporting agricultural cash crops or  
15 loads of fruits or vegetables on an interstate, designated, or  
16 non-designated highway, during the harvest season only, is in  
17 compliance with this Section if its gross weight is less than  
18 80,000 pounds and exceeds the gross weight permitted by this  
19 Section by not more than 10% and the vehicle is traveling from  
20 the field to the first point of processing. The operator of the  
21 vehicle, however, must abide by posted bridge weight limits.

22 (c) Cities having a population of more than 50,000 may  
23 permit by ordinance axle loads on 2 axle motor vehicles 33 1/2%  
24 above those provided for herein, but the increase shall not  
25 become effective until the city has officially notified the  
26 Department of the passage of the ordinance and shall not apply  
27 to those vehicles when outside of the limits of the city, nor  
28 shall the gross weight of any 2 axle motor vehicle operating  
29 over any street of the city exceed 40,000 pounds.

30 (d) Weight limitations shall not apply to vehicles  
31 (including loads) operated by a public utility when  
32 transporting equipment required for emergency repair of public  
33 utility facilities or properties or water wells.

1           A combination of vehicles, including a tow truck and a  
2 disabled vehicle or disabled combination of vehicles, that  
3 exceeds the weight restriction imposed by this Code, may be  
4 operated on a public highway in this State provided that  
5 neither the disabled vehicle nor any vehicle being towed nor  
6 the tow truck itself shall exceed the weight limitations  
7 permitted under this Chapter. During the towing operation,  
8 neither the tow truck nor the vehicle combination shall exceed  
9 24,000 pounds on a single rear axle and 44,000 pounds on a  
10 tandem rear axle, provided the towing vehicle:

11           (1) is specifically designed as a tow truck having a  
12 gross vehicle weight rating of at least 18,000 pounds and  
13 is equipped with air brakes, provided that air brakes are  
14 required only if the towing vehicle is towing a vehicle,  
15 semitrailer, or tractor-trailer combination that is  
16 equipped with air brakes;

17           (2) is equipped with flashing, rotating, or  
18 oscillating amber lights, visible for at least 500 feet in  
19 all directions;

20           (3) is capable of utilizing the lighting and braking  
21 systems of the disabled vehicle or combination of vehicles;  
22 and

23           (4) does not engage in a tow exceeding 20 miles from  
24 the initial point of wreck or disablement. Any additional  
25 movement of the vehicles may occur only upon issuance of  
26 authorization for that movement under the provisions of  
27 Sections 15-301 through 15-319 of this Code.

28           Gross weight limits shall not apply to the combination of  
29 the tow truck and vehicles being towed. The tow truck license  
30 plate must cover the operating empty weight of the tow truck  
31 only. The weight of each vehicle being towed shall be covered  
32 by a valid license plate issued to the owner or operator of the  
33 vehicle being towed and displayed on that vehicle. If no valid  
34 plate issued to the owner or operator of that vehicle is  
35 displayed on that vehicle, or the plate displayed on that  
36 vehicle does not cover the weight of the vehicle, the weight of

1 the vehicle shall be covered by the third tow truck plate  
2 issued to the owner or operator of the tow truck and  
3 temporarily affixed to the vehicle being towed.

4 The Department may by rule or regulation prescribe  
5 additional requirements. However, nothing in this Code shall  
6 prohibit a tow truck under instructions of a police officer  
7 from legally clearing a disabled vehicle, that may be in  
8 violation of weight limitations of this Chapter, from the  
9 roadway to the berm or shoulder of the highway. If in the  
10 opinion of the police officer that location is unsafe, the  
11 officer is authorized to have the disabled vehicle towed to the  
12 nearest place of safety.

13 For the purpose of this subsection, gross vehicle weight  
14 rating, or GVWR, shall mean the value specified by the  
15 manufacturer as the loaded weight of the tow truck.

16 (e) No vehicle or combination of vehicles equipped with  
17 pneumatic tires shall be operated, unladen or with load, upon  
18 the highways of this State in violation of the provisions of  
19 any permit issued under the provisions of Sections 15-301  
20 through 15-319 of this Chapter.

21 (f) On designated Class I, II, or III highways and the  
22 National System of Interstate and Defense Highways, no vehicle  
23 or combination of vehicles with pneumatic tires may be  
24 operated, unladen or with load, when the total weight on the  
25 road surface exceeds the following: 20,000 pounds on a single  
26 axle; 34,000 pounds on a tandem axle with no axle within the  
27 tandem exceeding 20,000 pounds; 80,000 pounds gross weight for  
28 vehicle combinations of 5 or more axles; or a total weight on a  
29 group of 2 or more consecutive axles in excess of that weight  
30 produced by the application of the following formula:  $W = 500$   
31 times the sum of  $(LN \text{ divided by } N-1) + 12N + 36$ , where "W"  
32 equals overall total weight on any group of 2 or more  
33 consecutive axles to the nearest 500 pounds, "L" equals the  
34 distance measured to the nearest foot between extremes of any  
35 group of 2 or more consecutive axles, and "N" equals the number  
36 of axles in the group under consideration.

1 The above formula when expressed in tabular form results in  
 2 allowable loads as follows:

3 Distance measured  
 4 to the nearest  
 5 foot between the  
 6 extremes of any Maximum weight in pounds  
 7 group of 2 or of any group of  
 8 more consecutive 2 or more consecutive axles  
 9 axles

10	feet	2 axles	3 axles	4 axles	5 axles	6 axles
11	4	34,000				
12	5	34,000				
13	6	34,000				
14	7	34,000				
15	8	38,000*	42,000			
16	9	39,000	42,500			
17	10	40,000	43,500			
18	11		44,000			
19	12		45,000	50,000		
20	13		45,500	50,500		
21	14		46,500	51,500		
22	15		47,000	52,000		
23	16		48,000	52,500	58,000	
24	17		48,500	53,500	58,500	
25	18		49,500	54,000	59,000	
26	19		50,000	54,500	60,000	
27	20		51,000	55,500	60,500	66,000
28	21		51,500	56,000	61,000	66,500
29	22		52,500	56,500	61,500	67,000
30	23		53,000	57,500	62,500	68,000
31	24		54,000	58,000	63,000	68,500
32	25		54,500	58,500	63,500	69,000
33	26		55,500	59,500	64,000	69,500
34	27		56,000	60,000	65,000	70,000
35	28		57,000	60,500	65,500	71,000

1	29	57,500	61,500	66,000	71,500
2	30	58,500	62,000	66,500	72,000
3	31	59,000	62,500	67,500	72,500
4	32	60,000	63,500	68,000	73,000
5	33		64,000	68,500	74,000
6	34		64,500	69,000	74,500
7	35		65,500	70,000	75,000
8	36		66,000	70,500	75,500
9	37		66,500	71,000	76,000
10	38		67,500	72,000	77,000
11	39		68,000	72,500	77,500
12	40		68,500	73,000	78,000
13	41		69,500	73,500	78,500
14	42		70,000	74,000	79,000
15	43		70,500	75,000	80,000
16	44		71,500	75,500	
17	45		72,000	76,000	
18	46		72,500	76,500	
19	47		73,500	77,500	
20	48		74,000	78,000	
21	49		74,500	78,500	
22	50		75,500	79,000	
23	51		76,000	80,000	
24	52		76,500		
25	53		77,500		
26	54		78,000		
27	55		78,500		
28	56		79,500		
29	57		80,000		

30 \*If the distance between 2 axles is 96 inches or less, the 2  
31 axles are tandem axles and the maximum total weight may not  
32 exceed 34,000 pounds, notwithstanding the higher limit  
33 resulting from the application of the formula.

34 Vehicles not in a combination having more than 4 axles may  
35 not exceed the weight in the table in this subsection (f) for 4  
36 axles measured between the extreme axles of the vehicle.

1 Vehicles in a combination having more than 6 axles may not  
2 exceed the weight in the table in this subsection (f) for 6  
3 axles measured between the extreme axles of the combination.

4 Local authorities, with respect to streets and highways  
5 under their jurisdiction, without additional fees, may also by  
6 ordinance or resolution allow the weight limitations of this  
7 subsection, provided the maximum gross weight on any one axle  
8 shall not exceed 20,000 pounds and the maximum total weight on  
9 any tandem axle shall not exceed 34,000 pounds, on designated  
10 highways when appropriate regulatory signs giving notice are  
11 erected upon the street or highway or portion of any street or  
12 highway affected by the ordinance or resolution.

13 The following are exceptions to the above formula:

14 (1) Two consecutive sets of tandem axles may carry a  
15 total weight of 34,000 pounds each if the overall distance  
16 between the first and last axles of the consecutive sets of  
17 tandem axles is 36 feet or more.

18 (2) Vehicles for which a different limit is established  
19 and posted in accordance with Section 15-316 of this Code.

20 (3) Vehicles for which the Department of  
21 Transportation and local authorities issue overweight  
22 permits under authority of Section 15-301 of this Code.  
23 These vehicles are not subject to the bridge formula.

24 (4) Tow trucks subject to the conditions provided in  
25 subsection (d) may not exceed 24,000 pounds on a single  
26 rear axle or 44,000 pounds on a tandem rear axle.

27 (5) A tandem axle on a 3-axle truck registered as a  
28 Special Hauling Vehicle, manufactured prior to or in the  
29 model year of 2014, and registered in Illinois prior to  
30 January 1, 2015, with a distance between 2 axles in a  
31 series greater than 72 inches but not more than 96 inches  
32 may not exceed a total weight of 36,000 pounds and neither  
33 axle of the series may exceed 18,000 pounds.

34 (6) A truck not in combination, equipped with a self  
35 compactor or an industrial roll-off hoist and roll-off  
36 container, used exclusively for garbage or refuse

1 operations, may, when laden, transmit upon the road  
2 surface, except when on part of the National System of  
3 Interstate and Defense Highways, the following maximum  
4 weights: 22,000 pounds on a single axle; 40,000 pounds on a  
5 tandem axle; 36,000 pounds gross weight on a 2-axle  
6 vehicle; 54,000 pounds gross weight on a 3-axle vehicle.  
7 This vehicle is not subject to the bridge formula.

8 (7) Combinations of vehicles, registered as Special  
9 Hauling Vehicles that include a semitrailer manufactured  
10 prior to or in the model year of 2014, and registered in  
11 Illinois prior to January 1, 2015, having 5 axles with a  
12 distance of 42 feet or less between extreme axles, may not  
13 exceed the following maximum weights: 18,000 pounds on a  
14 single axle; 32,000 pounds on a tandem axle; and 72,000  
15 pounds gross weight. This combination of vehicles is not  
16 subject to the bridge formula. For all those combinations  
17 of vehicles that include a semitrailer manufactured after  
18 the effective date of this amendatory Act of the 92nd  
19 General Assembly, the overall distance between the first  
20 and last axles of the 2 sets of tandems must be 18 feet 6  
21 inches or more. Any combination of vehicles that has had  
22 its cargo container replaced in its entirety after December  
23 31, 2014 may not exceed the weights allowed by the bridge  
24 formula.

25 No vehicle or combination of vehicles equipped with other  
26 than pneumatic tires may be operated, unladen or with load,  
27 upon the highways of this State when the gross weight on the  
28 road surface through any wheel exceeds 800 pounds per inch  
29 width of tire tread or when the gross weight on the road  
30 surface through any axle exceeds 16,000 pounds.

31 (f-1) A vehicle and load not exceeding 73,280 pounds is  
32 allowed access as follows:

33 (1) From any State designated highway onto any county,  
34 township, or municipal highway for a distance of 5 highway  
35 miles for the purpose of loading and unloading, provided:

36 (A) The vehicle and load does not exceed 8 feet 6

1 inches in width and 65 feet overall length.

2 (B) There is no sign prohibiting that access.

3 (C) The route is not being used as a thoroughfare  
4 between State designated highways.

5 (2) From any State designated highway onto any county  
6 or township highway for a distance of 5 highway miles, or  
7 any municipal highway for a distance of one highway mile  
8 for the purpose of food, fuel, repairs, and rest, provided:

9 (A) The vehicle and load does not exceed 8 feet 6  
10 inches in width and 65 feet overall length.

11 (B) There is no sign prohibiting that access.

12 (C) The route is not being used as a thoroughfare  
13 between State designated highways.

14 (f-2) A vehicle and load greater than 73,280 pounds in  
15 weight but not exceeding 80,000 pounds is allowed access as  
16 follows:

17 (1) From a Class I highway onto any street or highway  
18 for a distance of one highway mile for the purpose of  
19 loading, unloading, food, fuel, repairs, and rest,  
20 provided there is no sign prohibiting that access.

21 (2) From a Class I, II, or III highway onto any State  
22 highway or any local designated highway for a distance of 5  
23 highway miles for the purpose of loading, unloading, food,  
24 fuel, repairs, and rest.

25 Section 5-35 of the Illinois Administrative Procedure Act  
26 relating to procedures for rulemaking shall not apply to the  
27 designation of highways under this subsection.

28 (g) No person shall operate a vehicle or combination of  
29 vehicles over a bridge or other elevated structure constituting  
30 part of a highway with a gross weight that is greater than the  
31 maximum weight permitted by the Department, when the structure  
32 is sign posted as provided in this Section.

33 (h) The Department upon request from any local authority  
34 shall, or upon its own initiative may, conduct an investigation  
35 of any bridge or other elevated structure constituting a part  
36 of a highway, and if it finds that the structure cannot with

1 safety to itself withstand the weight of vehicles otherwise  
2 permissible under this Code the Department shall determine and  
3 declare the maximum weight of vehicles that the structures can  
4 withstand, and shall cause or permit suitable signs stating  
5 maximum weight to be erected and maintained before each end of  
6 the structure. No person shall operate a vehicle or combination  
7 of vehicles over any structure with a gross weight that is  
8 greater than the posted maximum weight.

9 (i) Upon the trial of any person charged with a violation  
10 of subsections (g) or (h) of this Section, proof of the  
11 determination of the maximum allowable weight by the Department  
12 and the existence of the signs, constitutes conclusive evidence  
13 of the maximum weight that can be maintained with safety to the  
14 bridge or structure.

15 (Source: P.A. 92-417, eff. 1-1-02; 93-177, eff. 7-11-03;  
16 93-186, eff. 1-1-04; revised 8-12-03.)

17 (625 ILCS 5/15-201) (from Ch. 95 1/2, par. 15-201)

18 Sec. 15-201. Vehicles exceeding prescribed weight limits -  
19 Preventing use of highway by.

20 The Department of State Police is directed to institute and  
21 maintain a non-discriminatory program designed to prevent the  
22 use of public highways by vehicles which exceed the maximum  
23 weights allowed by Section 15-111 of this Act or which exceeds  
24 the maximum weights allowed as evidenced by the license plates  
25 attached to such vehicle and which license is required by this  
26 Act.

27 (Source: P.A. 84-25.)

28 (625 ILCS 5/15-202) (from Ch. 95 1/2, par. 15-202)

29 Sec. 15-202. Enforcement.

30 (a) Such program shall make provision for an intensive yet  
31 non-discriminatory campaign by the State Police to apprehend  
32 any violators of the acts above mentioned, and at all times to  
33 maintain a vigilant watch for possible violators of such acts.  
34 The State Police are prohibited, however, from routinely

1 stopping and weighing vehicles transporting a particular  
2 commodity or vehicles in a particular geographic location.

3 (b) The Department of State Police shall provide training  
4 and continuing education to State Police officers concerning  
5 the prohibition on routinely stopping and weighing vehicles on  
6 the basis of the type of commodity the vehicle is transporting.  
7 This training and continuing education shall include, but not  
8 be limited to, an emphasis that the primary goal is equal and  
9 uniform enforcement of the State's weight limit laws.

10 (Source: P.A. 77-506.)

11 (625 ILCS 5/15-202.1 new)

12 Sec. 15-202.1. Statistical study of vehicles which exceed  
13 maximum weight limits.

14 (a) Beginning January 1, 2005 and through December 31,  
15 2005, whenever a State Police officer issues a citation for an  
16 alleged violation of the maximum weight limits of this Code,  
17 the officer shall record at least the following:

18 (1) the make and year of the vehicle stopped;

19 (2) the date and time of the stop;

20 (3) the county and location within the county of the  
21 stop;

22 (4) the type of commodity being transported, with  
23 emphasis on whether or not the commodity is an agricultural  
24 commodity; and

25 (5) the weight of the vehicle and the amount, if any,  
26 by which that weight exceeds the permitted weight.

27 (b) The Department of State Police shall, by February 1,  
28 2006, compile the data described in subsection (a). The  
29 Department of State Police, in cooperation with the Illinois  
30 Department of Agriculture, shall, by March 15, 2006, analyze  
31 the data and submit a report of the findings to the General  
32 Assembly. In analyzing the data collected for the report, the  
33 analyzing entity shall scrutinize the data for evidence of  
34 statistically significant aberrations with regard to any  
35 disparity between the proportion of citations issued to the

1 operators of vehicles transporting agricultural commodities  
2 and the proportion of citations issued to vehicles transporting  
3 non-agricultural commodities.

4 Section 99. Effective date. This Act takes effect upon  
5 becoming law.